

REMARKS

The Examiner is thanked for the performance of a thorough search. Claims 1-36 are pending in the application. Claims 1 and 15 have been amended by incorporating limitations from Claims 35 and 36 respectively. Claims 35 and 36, which depend from Claims 1 and 15 respectively, are amended to no longer recite the limitations incorporated into Claims 1 and 15. Therefore, the scope of Claims 35 and 36 remains unchanged. No claims have been added, canceled or withdrawn. No new matter has been added.

Each issued raised in the Office Action is addressed hereinafter.

CLAIM REJECTIONS – 35 U.S.C. § 102/35 U.S.C. § 103

Claims 1, 2 and 4-36 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Publication 2002/0046277 (“*Barna*”).

Claim 3 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Barna* in view of U.S. Publication 2003/0035409 (“*Wang*”).

These rejections are respectfully traversed.

CLAIM 1

Present Claim 1 recites:

A method for improving service accounting in a network, the method comprising the steps of:

in an authentication, authorization, and accounting server:

authenticating and authorizing a client;

in response to authenticating and authorizing the client, sending an authorization accept message that includes an accounting record within the message;

causing the accounting record to be logged; and

receiving, subsequent to the sending, a start session message that includes the accounting record. (Emphasis added.)

Applicants respectfully submit that at least the limitations shown in bold above are not disclosed or rendered obvious by the prior art.

ADVANTAGES OVER THE PRIOR ART OFFERED BY THE METHOD OF CLAIM 1

The method of Claim 1 offers at least two distinct advantages over the prior art related to logging accounting records. First, in order to log information from an accounting record, the AAA server of Claim 1 need not fetch the accounting record from an external server when it receives a start session message. Second, the AAA server of Claim 1 can be stateless with respect to accounting records associated with initiating an accounting session – i.e., the AAA server does not need to cache the accounting record between sending an authorization accept message and receiving a start session message. This is because the AAA server of Claim 1 receives the accounting record the AAA server sends in the authorization accept message in a subsequent start session message. Thus, the method of Claim 1 offers the advantage of avoiding the computational cost of having the AAA server fetch the accounting record from an external server in response to a start session message from the client. Further, the method of Claim 1 offers the advantage of avoiding having to cache the accounting record between sending an authorization accept message and receiving a start session message.

SCOPE AND CONTENT OF *BARNA*

Barna teaches a system and method for monitoring and reporting a volume of data transferred between between a Mobile Station (MS) and a data network during a data session. (*Barna*, Abstract). FIG. 1 depicts the follow of messages between a Packet Data Service Node (PSDN) and an Authorization, Authentication, and Accounting (AAA) server. At message 27 of FIG. 1, the AAA server sends an Access Accept message to the PSDN, and includes a first attribute indicating the maximum volume of data permitted for the user, (Max. Volume “V”), and a second attribute indicating a threshold volume (Min. Volume “v”) that signifies a trigger point for the sending of an Accounting Stop message. (*Barna*, para. 28.) At message 28 of Fig. 1, the PSDN sends an Accounting Request Start message to the AAA server. Note that the first

and second attributes included in Access Accept message 27 are **not** included in Accounting Request Start message 28.

The advantages provided by the method of Claim 1 cannot be achieved with the method of *Barna*. Specifically, because the AAA server in *Barna* does not receive volume attribute information in Accounting Request Start message 28 the AAA server of *Barna*, in order to log such attribute information in response to receiving message 28, must either (1) fetch the attribute information from an external server (e.g., messages 29 and 31 of FIG. 1 show AAA server requesting and receiving Pre-Paid Attributes) or (2) cache the attribute information between sending Access Accept message 27 and receiving Accounting Request Start message 28. Thus, the method of *Barna* for monitoring and reporting a volume of data transferred during a data session does not provide the advantages of the method of Claim 1.

CLAIM 1 IS PATENTABLE OVER *BARNA*

To anticipate under 35 U.S.C. § 102, a reference must show all elements, steps or limitations of a claim, arranged as in the claim. An anticipation rejection is unsupported or overcome if a reference is missing even one element, step, or limitation. *See Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983). Because *Barna* is missing the following limitations of Claim 1, the anticipation rejection of Claim 1 under 35 U.S.C. § 102 is unsupported and should be withdrawn.

in an authentication, authorization, and accounting server:

...

in response to authenticating and authorizing the client, sending an authorization accept message that includes an accounting record within the message; causing the accounting record to be logged; and receiving, subsequent to the sending, a start session message that includes the accounting record.

The Office Action alleges that *Barna* teaches the claimed step of “receiving, subsequent to the sending, a start session message that includes the accounting record” in paragraph 37.

This allegation is a clear error. Paragraph 37 of *Barna* says nothing about receiving a start session message that includes an accounting record that was sent in an authorization accept message in response to authenticating and authorizing a client. The Office Action appears to assume *Barna* teaches this receiving step because *Barna*'s AAA server receives accounting information in an Accounting Request Start message. (*See Barna*, FIG. 2, message 103).

However, the accounting information received by the AAA server in *Barna* was not sent in an access accept message from the AAA server in response to authenticating and authorizing a client. Rather, it was sent in a "PP Release Request Reply" message from another client of the AAA server. (*See Barna*, FIG. 2, message 91). It would therefore be clear error to interpret message 103 in FIG. 2 of *Barna* as the claimed "start session message that includes the accounting record" within the meaning of Claim 1, since Claim 1 specifically requires that the accounting record be sent in an "authorization request message" "in response to authenticating and authorizing the client".

The Office Action further alleges that claimed "causing the accounting record to be logged" is disclosed in *Barna* in FIG. 1, along with paragraphs 27-30. This allegation is also a clear error. Paragraphs 27-30, or the entire disclosure of *Barna* for that matter, make no mention of a "log" or "logging". Paragraphs 27-30 merely disclose the flow of messages between access and accounting nodes in an IP network. It would therefore also be clear error to interpret sending messages between the PSDN, AAA, and PPS of *Barna* as "causing the accounting record to be logged", since one of ordinary skill in the art would not reasonably interpret sending and receiving messages in an IP network to teach logging.

For at least the foregoing reason, *Barna* does not disclose every element of independent Claim 1. Therefore, *Barna* does not anticipate Claim 1 under 35 U.S.C. § 102. Reconsideration is respectfully requested.

CLAIM 15 IS PATENTABLE OVER *BARNA*

Independent Claim 15 recites features similar to the features recited in Claim 1. Therefore, Independent Claim 15 is allowable for at least those reasons given above with respect to Claim 1. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 with respect to Claim 15 is respectfully requested.

REMAINING CLAIMS

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each dependant claim includes the features of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional features that independently render them patentable. Due to the fundamental differences already identified, a separate discussion of those features is not included at this time.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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